

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

ESTATE OF LUCIO DIMAURO, by
and through Personal Representative,
NINA DIMAURO; LESLEY
JUNGERS, by and through co-
Guardians and co-Conservators,
LAWRENCE JOCHIM and KARLA
LANGLOIS; ESTATE OF DAVID
PATZOLDT, by and through Personal
Representative, CHRISTINE
PAYTON; JOHN DOES 1-X; and
JANE DOES 1-X,

Plaintiffs,

v.

GREG GIANFORTE; CHARLIE
BRERETON; DAVID CULBERSON;
STATE OF MONTANA; THE
DEPARTMENT OF PUBLIC
HEALTH AND HUMAN
SERVICES; JOHN DOES 1-X; and
JANE DOES 1-X,

Defendants.

Cause No. 2:23-cv-00074-BMM

ORDER

Before the Court is the parties' Joint Motion to Vacate Deadlines, Stay Proceedings and Set Briefing Schedule. The parties represent they have agreed to mediate this matter with a private mediator and a brief stay would help facilitate their efforts. The Court finds the motion is supported by good cause and the relief requested is within the Court's broad discretion to control trial administration.

IT IS ORDERED:

(1) All deadlines set forth in the Court's January 17, 2024 Order (Doc. 10) are vacated.

(2) These proceedings are stayed pending further order of the Court.

(3) The parties shall submit a status report within 60 days of the date of this Order, describing the status of their mediation efforts and the reasons the stay should be continued or lifted. Either party may move for a lift of the stay at any time.

(4) The Court will defer ruling on the pending Motion to Dismiss (Doc. 11) until the stay is lifted and the motion is fully briefed, including any timely-submitted reply brief.

(5) The following schedule will govern further briefing of the Motion to Dismiss (Doc. 11):

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| Plaintiff's Response Brief to Defendants' Motion to Dismiss | March 15, 2024 |
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|---|-------------------------------------|
| Defendants' Reply Brief to Motion To Dismiss | 14 days after stay is lifted |
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DATED this 7th day of February, 2024.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a large initial "B" and "M".

Brian Morris, Chief District Judge
United States District Court